

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
Ghobad Heidari, et al.) Group Art Unit: 2611
Serial No.: 10/067,496) Examiner: Vo, Don Nguyen
Filed: February 4, 2002) Confirmation No.: 8340
For: METHOD AND SYSTEM FOR) Date: February 26, 2008
IMPLEMENTING A SYSTEM)
ACQUISITION FUNCTION FOR USE)
WITH A COMMUNICATION DEVICE)

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FEB 26 2008

CERTIFICATE OF MAILING OR TRANSMISSION
[37 C.F.R. 1.8(a)]

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or being facsimile transmitted to the USPTO on February 26, 2008 at (571) 273-8300.

Signature: Name: Linda Clinkenbeard**SUPPLEMENTAL PETITION FOR CORRECTION OF INVENTORSHIP**
UNDER 37 C.F.R. § 1.48(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Supplemental Petition supplements the Petition for Correction of Inventorship Under 37 C.F.R. 1.48(a) filed on October 29, 2007, and is intended to replace it. The Supplemental Petition is submitted along with a Response to Ex Parte Quayle Action. Submitted herewith for the other supporting documents identified below is a newly executed declaration listing and executed by all the inventors. Applicants respectfully petition for the correction of inventorship in the present application.

(1) In addition to the originally named two inventors Ghobad Heidari and Kuor-Hsin Chang, Paul L. Master, Eugene Hogenauer, and Walter James Scheuermann are also joint inventors in the above-referenced patent application. Accordingly, it is respectfully requested that Paul L. Master, Eugene Hogenauer, and Walter James Scheuermann be added as named inventors in the present application along with originally named inventors, Ghobad Heidari and Kuor-Hsin Chang.

10812254.2

PATENT

Docket No.: 046301-053000

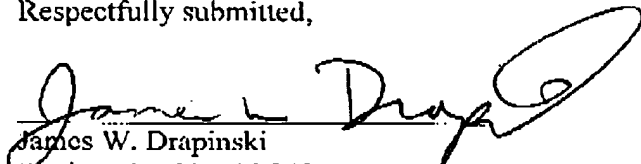
(2) A statement under 37 C.F.R. § 1.48(a) executed by Paul L. Master, Eugene Hogenauer, and Walter James Scheuermann, indicating that the error in the inventorship occurred without deceptive intention on their part is submitted herewith. More specifically, a copy of the Statement of Facts, as submitted on October 29, 2007 with the original Petition, is submitted herewith.

(3) A newly executed Declaration and Power of Attorney listing Ghobad Heidari, Kuor-Hsin Chang, Paul L. Master, Eugene Hogenauer, and Walter James Scheuermann as joint inventors is also submitted herewith.

(4) A document indicating the consent of the Assignee is also submitted herewith. More specifically, a copy of the Consent of Assignee document, as submitted on October 29, 2007 with the original Petition, is submitted herewith.

The Commissioner is authorized to charge any fees which may be required (except payment of the issue fee), or credit any overpayment, to Deposit Account No. 50-3557.

Respectfully submitted,


James W. Drapinski
Registration No. 46,242

February 26, 2008

Date

NIXON PEABODY LLP

Suite 900, 401 9th Street, N.W

Washington, D.C. 20004-2128

(415) 984-8200

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PATENT
Docket No.: 046301-053000
Application No. 10/067,496

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
Ghobad Heidari, et al.) Group Art Unit: 2611
Serial No.: 10/067,496) Examiner: Vo, Don Nguyen
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IMPLEMENTING A SYSTEM)
ACQUISITION FUNCTION FOR USE)
WITH A COMMUNICATION DEVICE)

CERTIFICATE OF MAILING OR TRANSMISSION
[37 CFR 1.8(a)]

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Signature: 

Name: Linda Clinkenbeard

STATEMENT OF FACTS UNDER 37 C.F.R. § 1.48(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

We, Paul L. Master, Eugenc Hogenauer, and Walter James Scheuermann, three of the joint inventors of the above-identified patent application, declare and say:

The error in inventorship in the above-identified patent application, namely, the omission of us being named inventors, occurred without deceptive intention on our part.

We hereby declare that all statements made of our own knowledge are true and that all statements made on information and belief are believed to be true.

We hereby further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,

Page 1 of 2

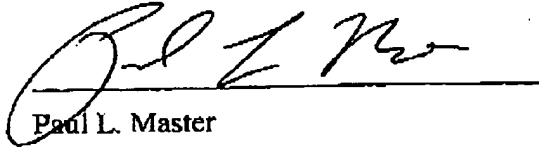
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PATENT

Docket No.: 046301-053000

Application No. 10/067,496

under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 8-10-07
Paul L. Master

Date: _____

Eugene Hogenauer

Date: _____

Walter James Scheuermann

PATENT

Docket No.: 046301-053000

Application No. 10/067,496

under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: _____

Paul L. MasterDate: 9/27/07

Eugene Hogenauer

Date: _____

Walter James Scheuermann

PATENT

Docket No.: 046301-053000


Application No. 10/067,496

under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: _____

Paul L. Master

Date: _____

Eugene HogenauerDate: 8 SEPT 2007
Walter James Scheuermann

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SUBSTITUTE DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)		Attorney Docket Number		046301-053000	
		First Named Inventor		Heidari, et al.	
		<i>COMPLETE IF KNOWN</i>			
		Application Number		10/067,496	
		Filing Date		February 4, 2002	
<input type="checkbox"/> Declaration Submitted With Initial Filing <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)		Art Unit		2611	
		Examiner Name		Vo, Don Nguyen	

As a below named inventor, I hereby declare that:
My residence, mailing address, and citizenship are as stated below next to my name.
I believe I am the original and inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND SYSTEM FOR IMPLEMENTING A SYSTEM ACQUISITION FUNCTION FOR USE WITH A COMMUNICATION DEVICE

(Title of the Invention)

the specification of which

☐ is attached hereto
OR
☒ was filed on (MM/DD/YYYY) 02/04/2002 as United States Application Number or PCT International

Application Number 10/067,496 and was amended on (MM/DD/YYYY) (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

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DECLARATION - Utility or Design Patent Application			
Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number or Bar Code Label 22204 <input type="checkbox"/> Correspondence address below			
Name			
Address			
City		State	ZIP
Country	Telephone		Fax
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)): Ghobad		Family Name or Surname: Heidari	
Inventor's Signature		Date 12/20/07	
Residence: City San Diego	State CA	Country: US	Citizenship US
Mailing Address: 13886 Camino Del Suelo			
City San Diego	State CA	ZIP 92129	Country: US
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)): Kunr-Hsin		Family Name or Surname: Chang	
Inventor's Signature		Date	
Residence: City Sunnyvale	State CA	Country US	Citizenship Taiwan
Mailing Address: 1051 Rembrandt Drive			
City Sunnyvale	State CA	ZIP	Country US
<input checked="" type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SI/02A attached hereto.			

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KUOR HSIN CHANG

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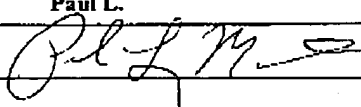
FEB 26 2008

DECLARATION - Utility or Design Patent Application			
Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number or Bar Code Label		11204 <input type="checkbox"/> OR <input type="checkbox"/> Correspondence address below	
Name			
Address			
City		State	ZIP
Country	Telephone		Fax
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)): Ghobad		Family Name or Surname: Heidari	
Inventor's Signature			Date
Residence: City San Diego	State CA	Country: US	Citizenship US
Mailing Address: 13445 Camino Del Suelo			
City San Diego	State CA	ZIP	Country US
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)): Kuor-Hsin		Family Name or Surname: Chang	
Inventor's Signature <i>Kuor-Hsin Chang</i>			Date 1/30/2008
Residence: City Sunnyvale	State CA	Country: US	Citizenship Taiwan
Mailing Address: 1051 Rembrandt Drive			
City Sunnyvale	State CA	ZIP	Country US
<input checked="" type="checkbox"/> Additional inventors are being named on the <u>1</u> supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.			

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DECLARATION		ADDITIONAL INVENTOR(S) Supplemental Sheet Page 1 of 1	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Paul L.		Master	
Inventor's Signature 		Date 2/1/08	
Residence: City: Sunnyvale	State: CA	Country: US	Citizenship: US
Mailing Address: 796 Dartshire Way			
Mailing Address:			
City: Sunnyvale	State: CA	ZIP: 94087	Country: US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Eugene B.		Hogenauer	
Inventor's Signature		Date	
Residence: City: San Carlos	State: CA	Country: US	Citizenship: US
Mailing Address: 93 Hilltop Drive			
Mailing Address:			
City: San Carlos	State: CA	ZIP: 94070	Country: US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Walter James		Scheuermann	
Inventor's Signature		Date	
Residence: City: Saratoga	State: CA	Country: US	Citizenship: US
Mailing Address: 21485 Saratoga Hills Road			
Mailing Address:			
City: Saratoga	State: CA	ZIP: 95070	Country: US

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DECLARATION		ADDITIONAL INVENTOR(S) Supplemental Sheet Page 1 of 1	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Paul L.		Master	
Inventor's Signature		Date	
Residence: City: Sunnyvale	State: CA	Country: US	Citizenship: US
Mailing Address: 796 Dartshire Way			
Mailing Address:			
City: Sunnyvale	State: CA	ZIP: 94087	Country: US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Eugene B.		Hogenauer	
Inventor's Signature <i>Eugene B. Hogenauer</i>		Date 2/21/08	
Residence: City: San Carlos	State: CA	Country: US	Citizenship: US
Mailing Address: 93 Hilltop Drive			
Mailing Address:			
City: San Carlos	State: CA	ZIP: 94070	Country: US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Walter James		Scheuermann	
Inventor's Signature		Date	
Residence: City: Saratoga	State: CA	Country: US	Citizenship: US
Mailing Address: 21485 Saratoga Hills Road			
Mailing Address:			
City: Saratoga	State: CA	ZIP: 95070	Country: US

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Given Name (first and middle (if any))		Family Name or Surname	
Paul L.		Master	
Inventor's Signature		Date	
Residence: City: Sunnyvale	State: CA	Country: US	Citizenship: US
Mailing Address: 796 Durtshire Way			
Mailing Address:			
City: Sunnyvale	State: CA	ZIP: 94087	Country: US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Eugene R.		Hogenauer	
Inventor's Signature		Date	
Residence: City: San Carlos	State: CA	Country: US	Citizenship: US
Mailing Address: 93 Hilltop Drive			
Mailing Address:			
City: San Carlos	State: CA	ZIP: 94070	Country: US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Walter James		Scheuermann	
Inventor's Signature: <i>James Scheuermann</i>		Date: 12/23/2007	
Residence: City: Saratoga	State: CA	Country: US	Citizenship: US
Mailing Address: 21485 Saratoga Hills Road			
Mailing Address:			
City: Saratoga	State: CA	ZIP: 95070	Country: US

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Docket No. 046301-053000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
Ghobad Heidari, et al.) Group Art Unit: 2611
Serial No.: 10/067,496) Examiner: Vo, Don Nguyen
Filed: February 4, 2002) Confirmation No.: 8340
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WITH A COMMUNICATION DEVICE)

CERTIFICATE OF MAILING OR TRANSMISSION
[37 CFR 1.8(a)]

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Signature: Name: Linda Clinkenbeard

CONSENT OF ASSIGNEE UNDER 37 C.F.R. § 1.48(a)

Dear Sir:

The undersigned, Assignee of the entire interest in the above-identified patent application, hereby consent to the amendment of the application to add Paul L. Master, Eugene Hogenauer, and Walter James Scheuermann as inventors. A statement under 37 C.F.R. § 3.73(b) is submitted herewith that establishes chain of title to QST Holdings, LLC.

10-25-07
Date:
By: Gordon Campbell
Title: President and CEO
QST Holdings, LLC

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PTO/SB/96 (04-07)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: OST Holdings, LLCApplication No./Patent No.: 10/067,496 Filed/Issue Date: February 4, 2002Entitled: **METHOD AND SYSTEM FOR IMPLEMENTING A SYSTEM ACQUISITION FUNCTION FOR USE WITH A COMMUNICATION DEVICE**

OST Holdings, LLC, a Limited Liability Company (LLC)
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
 2. ☐ an assignee of less than the entire right, title and interest.
 The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

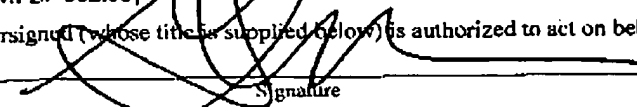
1. From: Ghobad Heidari and Kuor-Hsin Chang To: QuickSilver Technology, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 012594, Frame 0207, or for which a copy thereof is attached.
2. From: QuickSilver Technology, Inc. To: TECHFARM VENTURES MANAGEMENT, LLC
The document was recorded in the United States Patent and Trademark Office at Reel 018407, Frame 0637, or for which a copy thereof is attached.
3. From: TECHFARM VENTURES MANAGEMENT, LLC To: OST Holdings, LLC
The document was recorded in the United States Patent and Trademark Office at Reel 019927, Frame 0230, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy, i.e., a true copy of the original assignment document(s) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.


Signature

Date

Gordon Campbell
Printed or Typed Name

Telephone Number

President and CEO OST Holdings, LLC

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231

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